

## **REMARKS**

The Office Action dated March 16, 2010 has been received and carefully considered. Claims 1-3, 5-10, 12-14, 16-21, and 23-33 are pending in the application. Claims 1, 6, 12, 17, 23, 26, 28, 31, 33 have been amended. Claims 11 and 22 have been cancelled without prejudice or disclaimer. No new matter has been added by the above amendments to the claims. Applicants believe that the application is in condition for allowance and notice thereof is respectfully requested.

### ***1. The Objection To Claims 1, 12, 24, 28, And 33 Should Be Withdrawn***

Claims 1, 12, 24, 28, and 33 are objected to because of informalities. Applicants respectfully disagree. However, to advance the claims toward allowance, Applicants respectfully submit the amendments to claim 28 in order to overcome the objection..

Furthermore, regarding the objection to claims 1, 12, 24, and 33, the Office Action asserts that “purchase history information ... should apparently be ... purchase information.” Applicants respectfully disagree. Claim 1, for example, recites “causing the received purchase information to be stored in electronic storage associated with the financial card provider separate from the card as purchase history information associated with the financial account.” Accordingly, the language recited in claim 1 is clear. Claims 12, 24, and 33 contain similar language. Therefore, Applicants respectfully request the Office Action to withdraw the objection to claims 1, 12, 24, and 33 or provide clarification on this objection.

Applicants respectfully request that the objection to claims 1, 12, 24, 28, and 33 be withdrawn.

### ***2. The Rejection Of Claims 6, 17, 26, And 31 Under 35 U.S.C. § 112 Should be Withdrawn***

Claims 6, 17, 26, and 31 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. As shown above, Applicants respectfully submit amendments to claims 6, 17, 26, and 31 to overcome the rejection of claims 6, 17, 26,

and 31 under 35 U.S.C. § 112. Therefore, Applicants respectfully request that the rejection of claims 6, 17, 26, and 31 under 35 U.S.C. § 112, second paragraph, be withdrawn.

**3. The Rejection Of Claims 1-3, 5-14, and 16-33 Under 35 U.S.C. § 103(a) Should Be Withdrawn**

Claims 1-3, 5-14, and 16-33 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,580,856 to Phila ("Phila") in view of WO 97/24689 to Giordano ("Giordano").

Under 35 U.S.C. § 103, all claim limitations must be taught or suggested in the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). MPEP § 2143 reinforces this principle: "[T]he prior art reference (or references when combined) must teach or suggest all the claim limitations."

Regarding claim 1, the Office Action asserts that the claimed invention would have been obvious in view of Phila and Giordano. Applicants respectfully disagree. However, in order to forward the present application toward allowance, Applicants have amended claims 1 to clarify claimed invention, and specifically those features that further differentiate the claimed invention from Phila and Giordano, as well as the other cited references. In particular, Applicants respectfully submit that Phila and Giordano, either alone or in combination, fail to disclose, or even suggest, a "method of providing personalized customer service, comprising ... providing personalized service to the customer tailored to the purchase history information associated with the identified financial account, ***wherein providing personalized service to the customer comprises automatically indicating to the customer the location of one or more items previously purchased by the customer.*** . . .," as presently claimed. Accordingly, Applicants respectfully submit that claim 1 should be allowable over Phila and Giordano.

Regarding claims 12, 23, 28, and 33, while different in overall scope from claim 1, these claims recite subject matter related to claim 1. Thus, the arguments set forth above with respect to claim 1 are equally applicable to claims 12, 23, 28, and 33. Accordingly, Applicants respectfully submit that claims 12, 23, 28, and 33 should be

allowable over Phila and Giordano for analogous reasons as set forth above with respect to claim 1.

Claims 2-3, 5-11, 13-14, 16-22, 24-27, and 29-32 are allowable at least as being dependent from allowable claims 1, 12, 23, and 28. Thus, Applicants respectfully submit that claims 2-3, 5-11, 13-14, 16-22, 24-27, and 29-32 are allowable over Phila and Giordano.

#### **4. The Rejection Of Claims 1, 3, 6-12, 14, 16-22, and 33 Under 35 U.S.C. § 103(a) Should Be Withdrawn**

Claims 1, 3, 6-12, 14, 16-22, and 33 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over WO 97/24689 to Giordano ("Giordano") in view of U.S. Patent No. 7,580,856 to Phila ("Phila").

Under 35 U.S.C. § 103, all claim limitations must be taught or suggested in the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). MPEP § 2143 reinforces this principle: "[T]he prior art reference (or references when combined) must teach or suggest all the claim limitations."

Regarding claim 1, the Office Action asserts that the claimed invention would have been obvious in view of Giordano and Phila. Applicants respectfully disagree. However, in order to forward the present application toward allowance, Applicants have amended claims 1 to clarify claimed invention, and specifically those features that further differentiate the claimed invention from Giordano and Phila, as well as the other cited references. In particular, Applicants respectfully submit that Giordano and Phila, either alone or in combination, fail to disclose, or even suggest, a "method of providing personalized customer service, comprising ... providing personalized service to the customer tailored to the purchase history information associated with the identified financial account, **wherein providing personalized service to the customer comprises automatically indicating to the customer the location of one or more items previously purchased by the customer. . . ,**" as presently claimed. Accordingly, Applicants respectfully submit that claim 1 should be allowable over Giordano and Phila.

Regarding claims 12 and 33, while different in overall scope from claim 1, these claims recite subject matter related to claim 1. Thus, the arguments set forth above with respect to claim 1 are equally applicable to claims 12 and 33. Accordingly, Applicants respectfully submit that claims 12 and 33 should be allowable over Giordano and Phila for analogous reasons as set forth above with respect to claim 1.

Claims 3, 6-11, 14, and 16-22 are allowable at least as being dependent from allowable claims 1 and 12. Thus, Applicants respectfully submit that claims 3, 6-11, 14, and 16-2 are allowable over Giordano and Phila.

**CONCLUSION**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action, and the present application is in condition for allowance. If the Examiner believes, for any reason, that a personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided below.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

It is believed that a three month extension of time to reply is required for this response. If it is determined that additional fees are due, the Commissioner is hereby authorized to charge such fees to the undersigned's Deposit Account No. 50-0206 accordingly.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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